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**UNITED STATES DISTRICT COURT
DISTRICT OF UTAH**

GERM DOME INDUSTRIES LLC	
Plaintiff,	Case No. 2:24-cv-00589-DBB
v.	Hon. Judge David Barlow
PHONESOAP, L.L.C.	JURY TRIAL DEMANDED
Defendant.	

COMPLAINT

Plaintiff Germ Dome Industries LLC (“Germ Dome”) brings this Complaint against Defendant PhoneSoap, L.L.C. (“PhoneSoap”). Germ Dome alleges as follows:

PARTIES

1. Plaintiff Germ Dome is a Michigan limited liability company with a principal place of business at 4033 Beach Dr., Orchard Lake, MI 48324. Germ Dome is the owner of United States patents relating to devices and methods for sanitizing an object or surface.

2. On information and belief, PhoneSoap is a Limited Liability Company registered with the state of Utah and with a regular and established place of business at 3400 N 1200 W, Suite 204, Lehi, UT 84043. PhoneSoap also makes devices for sanitizing a surface.

JURISDICTION AND VENUE

3. This Court has original subject matter jurisdiction over this action under 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has specific personal jurisdiction over PhoneSoap consistent with the principles underlying the U.S. Constitution and at least Utah Code § 78B-3-205. PhoneSoap is carrying on continuous and systematic business within the State of Utah.

5. Venue is proper in this District under 28 U.S.C. §§ 1391 and 1400 at least because PhoneSoap has a regular and established place of business in this District and has committed acts of infringement in this district.

GERM DOME'S PATENT-IN-SUIT

6. United States Patent No. 10,792,380 ("the '380 Patent") issued on October 6, 2020 and is titled SYSTEM AND APPARATUS FOR SANITIZING A POINT OF CONTACT. A true and correct copy of the '380 Patent is attached to this Complaint as Exhibit A.

7. The ‘380 Patent relates to a device for sanitizing an object. Generally, the device includes a housing that defines an interior. The interior is configured to receive an object to be sanitized through an anterior opening. The anterior opening is at least partially defined by a dome, and germicidal light(s) are disposed underneath the dome.

8. Germ Dome is the lawful owner of all rights, title, and interest in and to the ‘380 Patent, possesses all rights of recovery under the ‘380 patent, and has standing to sue for infringement of the ‘380 patent. The application leading to the ‘380 Patent was assigned to Germ Dome on August 19, 2019. A true and correct copy of said assignment is attached to this Complaint as Exhibit B.

9. The ‘380 Patent is valid and enforceable.

PHONESOAP’S ACCUSED PRODUCTS

10. PhoneSoap offers a number of products which are also devices for sanitizing a surface or object, including the products shown in the chart below. The products shown in the chart below will be referred to together as the “PhoneSoap Products” in this Complaint.

Product Name	Representative Image
PhoneSoap 3	 A photograph of the PhoneSoap 3 device, which is a small, rectangular, silver-colored unit with a hinged lid. The lid is open, revealing a white interior. A silver pen is placed horizontally inside the lid. The base of the device is black and contains a smartphone. The device is sitting on a white surface.
PhoneSoap Pro	 A photograph of the PhoneSoap Pro device, which is a larger, rectangular, silver-colored unit with a hinged lid. The lid is open, revealing a white interior. A smartphone is placed horizontally inside the base of the device. The device is sitting on a white surface.

<p>PhoneSoap Go</p>	 A white, rectangular, open PhoneSoap Go device. Inside the compartment, a smartphone is lying flat. The phone's screen displays a green battery icon and a landscape image. A white charging cable is plugged into the bottom of the phone and extends out of the device's right side. The interior of the lid is white and features a horizontal UV light tube.
<p>PhoneSoap Wireless</p>	 A white, rectangular, open PhoneSoap Wireless device. Inside the compartment, a smartphone is lying flat. The phone's screen displays a green battery icon and a landscape image. The interior of the lid is white and features a horizontal UV light tube. The device has a slightly different shape than the Go model, with a more rounded front.
<p>PhoneSoap Basic</p>	 A white, rectangular, open PhoneSoap Basic device. The interior of the compartment is empty. The lid is white and features a horizontal UV light tube. The device has a more angular, boxy design compared to the other two models.



11. PhoneSoap makes, imports into the United States, offers for sale, sells, and/or uses in the United States the PhoneSoap Products, each of which infringe at least claim 1 of the ‘380 Patent.

12. Attached to this Complaint as Exhibits C – H are claim charts showing how each of the PhoneSoap Products infringe claims of the ‘380 Patent. Exhibit C shows PhoneSoap 3. Exhibit D shows PhoneSoap Pro. Exhibit E shows PhoneSoap Go. Exhibit F shows PhoneSoap Wireless. Exhibit G shows PhoneSoap Basic. Exhibit H shows HomeSoap.

COUNT I – PATENT INFRINGEMENT

13. Germ Dome incorporates by reference the foregoing paragraphs of this Complaint as if fully set forth herein.

14. PhoneSoap has been and is now infringing, literally and/or under the doctrine of equivalents, the '380 Patent in this District and elsewhere by making, using, offering for sale, importing, and/or selling the PhoneSoap Products, which fall within the scope of at least one claim of the '380 Patent, without license or authorization, as shown in Exhibits C – H. These acts constitute infringement under at least 35 U.S.C. § 271(a).

15. Germ Dome has suffered, is suffering, and will continue to suffer injury and damages for which it is entitled to relief under 35 U.S.C. § 284 adequate to compensate it for PhoneSoap's infringement.

16. As a direct and proximate consequence of the infringement, Germ Dome has been and is being harmed, and, unless PhoneSoap's infringing acts and practices are enjoined by the Court, will continue to be injured in its property rights.

17. On information and belief, PhoneSoap's infringement will continue unabated unless and until enjoined by this Court.

18. Germ Dome is entitled to injunctive relief from this Court under 35 U.S.C. § 283.

PRAYER FOR RELIEF

Germ Dome asks this Court to enter judgment against PhoneSoap and its officers, agents, servants, employees, and all persons in active concert or participation with them, granting the following relief:

A. An adjudication that PhoneSoap has infringed one or more claims of the ‘380 Patent;

B. The ascertainment of and award to Germ Dome of damages from the infringement of one or more claims of the ‘380 Patent, together with prejudgment and post-judgment interest and any other costs and expenses permitted by law, under 35 U.S.C. § 284;

C. A finding that this case is exceptional and the award of reasonable attorneys’ fees, costs, and expenses in this action to Germ Dome under 35 U.S.C. § 285;

D. Permanently enjoining PhoneSoap from any further acts of infringement of Germ Dome’s patent rights under 35 U.S.C. § 283; and

E. Awarding to Germ Dome such other and further relief as this Court may deem just and proper.

JURY DEMAND

Germ Dome hereby demands a trial by jury on all issues so triable.

Dated: August 16, 2024

Respectfully submitted,

**THORPE NORTH & WESTERN,
LLP**

/s/ Kurt Hendricks

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